

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NOEL D. PRIESTMAN,

Plaintiff,

v.

KING COUNTY DEPARTMENT OF  
PUBLIC DEFENSE,

Defendant.

CASE NO. C15-1099-TSZ-JPD

REPORT AND RECOMMENDATION

On July 8, 2015, plaintiff Noel Priestman submitted a number of documents to this Court for consideration which the Clerk construed as a prisoner civil rights complaint under 42 U.S.C. § 1983. (*See* Dkt. 1.) While plaintiff included with his papers what appears to be a copy of his jail account statement from the King County Department of Adult and Juvenile Detention, he failed to include either the filing fee or an application to proceed with this action *in forma pauperis*. (*See id.*) On July 9, 2015, the Clerk sent plaintiff a letter advising him that his submission was deficient and that he would have to submit either the entire filing fee or a completed application for *in forma pauperis* status on or before August 10, 2015, or risk dismissal of this action. (Dkt. 2.) The Clerk also sent plaintiff the appropriate *in forma pauperis*

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1 application form to complete. (*See* Dkt. 2.) To date, plaintiff has submitted neither the filing fee  
2 nor a completed application for leave to proceed *in forma pauperis*.

3 As plaintiff has had ample time to comply with the filing fee requirement, but has failed  
4 to do so, this Court recommends that the instant action be dismissed without prejudice for failure  
5 to prosecute. A proposed order accompanies this Report and Recommendation.

6 Objections to this Report and Recommendation, if any, should be filed with the Clerk and  
7 served upon all parties to this suit by no later than **September 8, 2015**. Failure to file objections  
8 within the specified time may affect your right to appeal. Objections should be noted for  
9 consideration on the District Judge's motion calendar for the third Friday after they are filed.  
10 Responses to objections may be filed within **fourteen (14)** days after service of objections. If no  
11 timely objections are filed, the matter will be ready for consideration by the District Judge on  
12 **September 11, 2015**.

13 DATED this 18th day of August, 2015.

14 

15 JAMES P. DONOHUE  
16 Chief United States Magistrate Judge